

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A method of clearing transactions on an electronic exchange comprises;
  - performing a full settlement run after cessation of trading;
  - automatically marking-to-market all open positions;
  - determining ~~that whether a~~ an open position calls for ~~either~~ a cash based margin protocol or an asset based margin protocol; and
  - determining margin requirements for the open position according to the determined margin protocol.
2. (Currently Amended) The method of claim 1 wherein determining margin requirements determines that ~~a~~ the open position calls for a cash margin protocol, the method further comprising:
  - sending to subscribers or subscriber depository or guaranteeing banks debits and/or credits; and
  - updating the resulting balances in, each subscriber's account.
3. (Currently Amended) The method of claim 1 wherein determining margin requirements determines that ~~a~~ the open position calls for an asset based margin protocol, the method further comprising:
  - disseminating position information but no daily pays or collects will take place so long as sufficient assets are already identified.
4. (Original) The method of claim 1 wherein marking to market further comprises:

posting a position for a subscriber to a subscriber trading account as soon as any portion of an order is filled.

5. (Original) The method of claim 1 wherein marking to market further comprises:

determining whether the subscriber has a position at the other side of the market that can result in an offset of the position and the position at the other side of the market.

6. (Original) The method of claim 5 wherein marking to market further comprises:

liquidating the trade with any resulting credit or debit identified as a realized gain or loss in the subscriber's trading account.

7. (Previously Presented) The method of claim 1 wherein determining margin requirements further comprises:

recording assets that are delivered to the exchange for satisfying margin.

8. (Original) The method of claim 1 wherein recording assets further comprises:

determining an equivalent asset value to reflect a capital charge applied to special classes of assets.

9. (Previously Presented) The method of claim 1 wherein recording assets further comprises:

maintaining an asset inventory for each trading account, and indicating whether assets in the trading account are limited to covering a single contract genus or a specific delivery commitment, or can be applied to multiple products.

10. (Original) The method of claim 1 further comprising:

determining an initial margin for each contract species held in a subscriber's trading account.

11. (Original) The method of claim 1 further comprising:

determining a variation margin and applying the variation margin to the subscriber's trading account.

12. (Currently Amended) A computer program product residing on a computer readable medium for clearing transactions on an electronic exchange comprises instructions for causing a computer to;

perform a full settlement run after cessation of trading;  
automatically mark-to-market all open positions;  
determine that whether a an open position calls for ~~either~~ a cash based margin protocol or an asset based margin protocol; and  
determine margin requirements for ~~market participants~~ the open position according to the determined margin protocol.

13. (Canceled)

14. (Original) The computer program product of claim 12 wherein instructions to determine margin requirement further comprise instructions to:

send messages that are debits and/or credits to subscribers or subscriber depository or guaranteeing banks; and  
update a resulting balances in each subscriber's account.

15. (Canceled)

16. (Original) The computer program product of claim 12 wherein instructions to determine margin requirements further comprise instructions to:

disseminating position information but no daily pays or collects will take place so long as sufficient assets are already identified.

17. (Original) The computer program product of claim 12 wherein instructions to mark to market further comprise instructions to:

post a position for a subscriber to a subscriber trading account as soon as any portion of an order is filled.

18. (Original) The computer program product of claim 12 wherein instructions to mark to market further comprise instructions to:

determine whether the subscriber has a position at the other side of the market that can result in an offset of the position and the position at the other side of the market.

19. (Previously Presented) The computer program product of claim 12 wherein instructions to mark to market further comprise instructions to:

liquidate the trade with any resulting credit or debit identified as a realized gain or loss in the subscriber's trading account.

20. (Currently Amended) A system for clearing transactions on an electronic exchange, comprises:

a computer system that is fed information regarding trades for traders on behalf of subscribers, current prices for products traded on the exchange, information regarding margin available in a trading account and margin requirements for a contract genus;

a process that executes on the compute system, comprising:

a computer program product residing on a computer readable medium for clearing transactions on the electronic exchange comprising instructions for causing the computer to:

perform a full settlement run after cessation of trading;

automatically mark-to-market all open positions;

determine that whether a an open position calls for either a cash based margin protocol or an asset based margin protocol; and

determine margin requirements for market participants the open position according to the determined margin protocol.

21. (Currently Amended) The apparatus of claim 20 wherein instructions to determine margin requirements further comprise instructions to:

~~disseminating disseminate~~ position information but no daily pays or collects will take place so long as sufficient assets are already identified.

22. (Previously Presented) The apparatus of claim 20 wherein instructions to mark to market further comprise instructions to:

post a position for a subscriber to a subscriber trading account as soon as any portion of an order is filled.

23. (Previously Presented) The apparatus of claim 20 wherein instructions to mark to market further comprise instructions to:

determine whether the subscriber has a position at the other side of the market that can result in an offset of the position and the position at the other side of the market.

24. (Previously Presented) The apparatus of claim 20 wherein instructions to mark to market further comprise instructions to:

liquidate the trade with any resulting credit or debit identified as a realized gain or loss in the subscriber's trading account.